

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>DATE: JUNE 30, 2010</b>
<b>v.</b>	<b>:</b>	<b>CRIMINAL NO.: 10-</b>
<b>CHRISTOPHER VASSALLUZZO, D.O.</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>RITA CLAYPOOLE</b>	<b>:</b>	<b>21 U.S.C. § 846 (drug trafficking</b>
<b>ROBERT CLAYPOOLE</b>	<b>:</b>	<b>conspiracy–1 count)</b>
<b>KATHLEEN GORDEN</b>	<b>:</b>	<b>21 U.S.C. § 841(a)(1), (b)(2)</b>
<b>JANICE FARES</b>	<b>:</b>	<b>(distribution of controlled substances –</b>
	<b>:</b>	<b>5 counts)</b>
	<b>:</b>	<b>18 U.S.C. § 1341, § 1349 (mail fraud –61</b>
	<b>:</b>	<b>counts)</b>
	<b>:</b>	<b>31 U.S.C. § 5324(a)(1), (d)(2)</b>
	<b>:</b>	<b>(aggravated structuring –8 counts)</b>
	<b>:</b>	<b>31 U.S.C. § 5324 (a)(1) (structuring</b>
	<b>:</b>	<b>causing failure to file – 12 counts)</b>
	<b>:</b>	<b>31 U.S.C. § 5324(a)(3) (structuring –14</b>
	<b>:</b>	<b>counts)</b>
	<b>:</b>	<b>21 U.S.C. § 856 (maintaining drug-</b>
	<b>:</b>	<b>involved premises-1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>
	<b>:</b>	<b>Notices of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At times material to this indictment:

1. Defendant CHRISTOPHER VASSALLUZZO, D.O., was a doctor employed full-time at hospitals in and around Langhorne. Dr. VASSALLUZZO worked as an emergency room physician.
2. Beginning in approximately September 2000, defendant CHRISTOPHER

VASSALLUZZO, bought the Northeast Wellness Center, which was sometimes also called the Sunrise Wellness Center, from the estate of his late father-in-law. The office was located at 7432 Torresdale Avenue, in Northeast Philadelphia until mid-2005. Thereafter it was located at 3000 Holme Avenue, in Northeast Philadelphia, in a building owned by defendant VASSALLUZZO's wife. There was no other business in the building. Under VASSALLUZZO, the Northeast Wellness Center was what is commonly called a "pill mill." Its only business was the sale of Schedule III and Schedule IV controlled substances, namely, prescription diet pills, to anyone who presented himself or herself at the office.

3. At different times between approximately September 2000 and March 24, 2010, defendant CHRISTOPHER VASSALLUZZO hired various people to staff the office. Among those who staffed the office were defendants RITA CLAYPOOLE, ROBERT CLAYPOOLE, KATHLEEN GORDEN, JANICE FARES and unindicted co-conspirators, M.J. and L.R. and D.B.

4. Defendant RITA CLAYPOOLE was the aunt of defendant CHRISTOPHER VASSALLUZZO's wife and the sister of the doctor who owned the Northeast Wellness Center before VASSALLUZZO. CLAYPOOLE worked at the Northeast Wellness Center, managing the purchase, packaging and sales of controlled substance prescription diet drugs, maintaining records of sales and purchases by individual customers, accounting for and securing the flow of cash that was generated by customer sales at the Northeast Wellness Center.

5. Defendant ROBERT CLAYPOOLE was the husband of defendant RITA CLAYPOOLE and assisted her in managing the distribution of controlled substance prescription diet pills and did work to maintain the office from which the sales were made.

6. Defendant CHRISTOPHER VASSALLUZZO also paid defendants KATHERINE GORDEN and JANICE FARES. Their jobs were to sell controlled substance prescription diet pills to customers. Neither was a doctor or licensed medical professional, although GORDEN had been trained and had many years earlier worked as a licensed practical nurse. Prior to her employment by defendant VASSALLUZZO, defendant GORDEN worked as a receptionist in VASSALLUZZO's wife's dental practice. Prior to defendant JANICE FARES' employment by defendant VASSALLUZZO, FARES had worked for 20 years as a bartender in Northeast Philadelphia. FARES was a childhood friend of unindicted coconspirator, D.B. who worked at the Northeast Wellness Center. In 2001, after FARES had been laid off and had not found work, D.B. invited FARES to substitute once a week for D.B. selling pills at the Northeast Wellness Center, then located on Torresdale Avenue. Defendants GORDEN and FARES de facto job-shared. In approximately the Fall of 2006 after the office moved to Holme Avenue, and after D.B. stopped working for VASSALLUZZO, FARES began to work three days a week selling controlled substance diet drugs for defendant CHRISTOPHER VASSALLUZZO. Defendant GORDEN worked the other two days.

### **THE CONTROLLED SUBSTANCES ACT**

7. The Controlled Substances Act governs the manufacture, distribution, and dispensing of controlled substances in the United States. The Controlled Substances Act is contained in Title 21, United States Code, Sections 801-971 ("CSA").

8. The CSA provides that "[e]xcept as authorized, it shall be unlawful for any person to knowingly and intentionally . . . distribute, or dispense, or possess with the intent to . . . distribute, or dispense, a controlled substance." 21 U.S.C. § 841.

9. As used in the CSA, the term “distribute” means “to deliver (other than by administering or dispensing) a controlled substance or a listed chemical.” 21 U.S.C. § 802(11).

10. The CSA authorizes the Attorney General to promulgate regulations concerning the registration and control of controlled substances. 21 U.S.C. § 821. Pursuant to those regulations, there is no exemption to the penalties of the C.S.A. for physicians who distribute controlled substances not in the course of a professional practice.

11. The regulations also established the Drug Enforcement Administration (“DEA”) to monitor the distribution of controlled substances and protect against drug trafficking and abuse of such drugs.

12. Thus, the C.S.A. and DEA authorize physicians to possess and dispense controlled substances but only in the course of a professional practice for a legitimate medical purpose or treatment. When anyone possesses with the intent to distribute and /or distributes controlled substances outside the course of a professional practice, his actions constitute the illegal distribution of those drugs, just like street drug dealers.

13. Controlled substances are assigned a schedule level based upon several factors, including their actual or relative potential for abuse, their history and current pattern of abuse, and their risk to the public health when abused. The prescription diet drugs that the defendants sold and caused to be sold at the Northeast Wellness Center were phendimetrazine, a Schedule III controlled substance, and phentermine, a Schedule IV controlled substance.

14. Chemically and pharmacologically the diet pills that the defendants sold and caused to be sold are related to amphetamines. Each is subject to abuse and misuse as a stimulant, that is, as a drug that causes a “high” and when taken for extended periods of times,

each can create a physical dependency of the user for the drug. For these reasons DEA has classified phendimetrazine and phentermine as controlled substances.

### **THE CONTROLLED SUBSTANCES IN THIS CASE**

15. Phendimetrazine and phentermine are drugs that some doctors prescribe or dispense for their patients who need to lose weight. To avoid dependence and abuse, the Physician's Desk Reference and the manufacturer recommend that, when these drugs are used in diet programs, a patient should not use them for more than six months.

16. Phendimetrazine, a Schedule III controlled substance, comes in various dosage strengths, the highest of which is 35 mg. tablets. "Bontril" was a name for a proprietary form of phendimetrazine.

17. Phentermine is a Schedule IV controlled substance because it, too, is subject to abuse as a stimulant and can create physical dependence. It comes in various strengths and forms. It, too, is to be taken for only a limited period of time. The highest dosage strength was 37.5 mg. phentermine per tablet.

18. Both phentermine and phendimetrazine were sometimes referred to by non-medical names which were derived from the appearance of the tablet or capsule which contains the drug as an active ingredient (e.g., "blue-speckled", "yellow and brown").

19. As controlled substances, both phentermine and phendimetrazine are prescription drugs, which means that they cannot safely be used except under the supervision of a licensed medical practitioner.

20. To be permitted to issue prescriptions for or to dispense controlled substances, DEA requires physicians to be licensed in the state in which they are practicing, to be

registered with DEA and to maintain records for at least two years of their dispensing of controlled substances.

21. Controlled substance drugs can be lawfully dispensed by and at the direction of a duly authorized doctor to a patient after the requisite examination or consultation. The decision about whether to dispense controlled substance prescription diet drugs, what type, what quantity and for what period cannot be delegated to anyone who is not a doctor. And a doctor is not authorized to dispense or direct the dispensing of controlled substance diet drugs except when it is within a professional practice to a patient for a medical need. When a doctor distributes prescription medications and controlled substances outside a professional practice, it is unprotected unlawful drug distribution.

22. Nonetheless, defendant CHRISTOPHER VASSALLUZZO distributed, caused to be distributed and conspired with others to distribute phendimetrazine and phentermine (the “diet pills”) outside the course of a professional practice.

23. Between on or about September 7, 2000 and on or about March 24, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CHRISTOPHER VASSALLUZZO,  
RITA CLAYPOOLE,  
KATHLEEN GORDEN,  
ROBERT CLAYPOOLE, and  
JANICE FARES**

and others known and unknown to the grand jury knowingly and intentionally conspired and agreed together:

a) to distribute controlled substance prescription diet drugs outside a professional practice, including more than 1,502,100 doses of a substance containing phendimetrazine, a

Schedule III controlled substance, and more than 2,575,100 doses of a substance containing phentermine, a Schedule IV controlled substance, in violation of Title 21, United States Code, §§841(a)(1) and 841(b)(1)(E)(I) and (b)(2);

b) to possess with intent to distribute controlled substance prescription diet drugs outside a professional practice, including more than 1,502,100 doses of a substance containing phendimetrazine, a Schedule III controlled substance, and more than 2,575,100 doses of a substance containing phentermine, a Schedule IV controlled substance, in violation of Title 21, United States Code, §§841(a)(1) and 841(b)(1)(E)(I) and (b)(2).

#### **MANNER AND MEANS**

24. To make it appear that he was maintaining a professional medical practice when he was not, after he began to operate and control the Northeast Wellness Center, defendant CHRISTOPHER VASSALLUZZO retained some of its staff and had them document sales as they had under the former owner of the Northeast Wellness Center.

25. To make it appear that the Northeast Wellness Center was a professional medical practice when it was not, defendant CHRISTOPHER VASSALLUZZO's sales staff, including defendants KATHLEEN GORDEN and JANICE FARES and unindicted codefendants L.R. and D.B., dressed in the kind of clothes worn by nurses and medical assistants.

26. To make it appear that the Northeast Wellness Center was a professional medical practice when it was not, the staff maintained regular office hours between 7:30 am and 4 pm, Monday through Friday.

27. To make it appear that the Northeast Wellness Center was a professional medical practice when it was not, the staff at the office answered the telephone, "Doctor's

office.”

28. To make it appear that the Northeast Wellness Center was a professional medical practice when it was not, when there was time, the staff would take the customers’ blood pressure and would weigh them.

29. To make it appear that the Northeast Wellness Center was a professional medical practice, when it was not, the staff packaged the prescription controlled substance diet drugs it sold in small medical boxes, each one of which held what they claimed was a two-week supply of drugs.

30. To make it appear that the Northeast Wellness Center was a professional medical practice when it was not, the staff maintained paperwork for its sales of prescription controlled substance diet drugs that included among other documents a) 5" x 8" index cards that were sometimes referred to as “patient charts” on which each sales transaction was memorialized, b) handwritten inventories of controlled substances, with day-by-day accounting, c) handwritten customer transactions sheets, and d) handwritten “daily logs,” on which information relating to each day’s sales was recorded. The only financial records were the amount paid by each customer which was noted on his “patient chart,” and on the daily log. The daily log was the only document on which the staff totaled sales. Typically, the staff maintained a separate daily log for the morning and for the afternoon. On the daily log for each period, the staff totaled only the transactions listed.

31. Each customer had his or her own “patient chart.” This was an index card on which the person who sold the controlled substance prescription diet drugs to the customer wrote the date of the purchase, the type and amount of drugs purchased, the prices paid,



and sometimes information about a person's blood pressure and weight. When the staff was busy, they would sometimes skip taking blood pressure and would add a number later that was the same as or similar to the last number on the card.

32. To make it appear that he was maintaining a professional medical practice when he was not, from about 2001 through about 2004, defendant CHRISTOPHER VASSALLUZZO paid at least one doctor, unindicted coconspirator M.J., to be present at times at the Northeast Wellness Center and even more occasionally was himself present at the Center.

33. To make it appear that the Northeast Wellness Center was a professional medical practice when it was not, defendant CHRISTOPHER VASSALLUZZO, unindicted coconspirator M.J. and the staff, including defendants RITA CLAYPOOLE, ROBERT CLAYPOOLE, KATHLEEN GORDEN and JANICE FARES, as well as unindicted coconspirators L.R. and D.B. referred to their customers as "patients."

34. To make it appear that the Northeast Wellness Center was a professional medical practice when it was not, when he was present and a new customer came to buy controlled substance prescription diet drugs, unindicted coconspirator M.J. would perform a cursory physical examination of the customer and escort the customer to the sales staff.

35. To make it appear that the Northeast Wellness Center was a professional medical practice when it was not and that the distribution of controlled substances from the Northeast Wellness Center was in the course of medical treatment, each day the staff would collect the patient charts relating to that day's sales and at some later time, defendant CHRISTOPHER VASSALLUZZO, unindicted coconspirator M.J. and others unknown to the grand jury, would initial the transactions listed on the patient charts.

36. To make it appear that the Northeast Wellness Center was a professional medical practice when it was not, the staff issued to customers who requested them letters representing that they were patients taking drugs dispensed within a professional practice.

37. Defendant VASSALLUZZO paid everyone who worked at the Northeast Wellness Center in whole or in part in cash and in whole or in part “under the table,” that is, the payments were not reported to tax authorities.

38. There were no appointments at the Northeast Wellness Center and all payments were in cash for in person sales. No checks, credit cards or insurance was accepted.

39. Defendant VASSALLUZZO authorized mail-order sales of prescription controlled substance diet drugs. Mail-order sales were paid for in advance by postal money order, cashier’s check or treasurer’s checks, and included a mailing fee of approximately \$15.

40. The cash and any other monetary instruments generated by prescription controlled substance diet drugs was collected and accounted for twice a day, in the morning and in the afternoon.

41. Defendant RITA CLAYPOOLE worked three days a week: Mondays, Tuesdays and Thursdays from approximately 7 a.m. to approximately 2 p.m. On the days that defendant RITA CLAYPOOLE was present at the office, at the end of each morning or at or around the lunch break, the person who sold pills to customers that day gave RITA CLAYPOOLE sales proceeds and CLAYPOOLE put the cash in a place where defendant CHRISTOPHER VASSALLUZZO would retrieve it or CLAYPOOLE delivered it or caused it to be delivered to him.

42. On the days that defendant RITA CLAYPOOLE did not work and in the afternoons, the person who sold pills to customers collected the cash receipts twice a day and put the cash in a place where defendant CHRISTOPHER VASSALLUZZO would retrieve it. On Torresdale Avenue, it was in a closet. On Holme Avenue, it was under a plastic liner in a trash can.

43. Cash receipts from sales were placed in a plain white business envelope with the date and “AM” or “PM”. To this envelope, defendant RITA CLAYPOOLE added the “Amount” column (only) from the daily log, with the amount totaled.

44. To ensure a supply of controlled substance prescription diet drugs to the Northeast Wellness Center office, defendant CHRISTOPHER VASSALLUZZO sent his current DEA registrations to each supplier of prescription controlled substance diet drugs from which his staff placed orders and sent new ones as the old ones reached their expiration dates.

45. To maintain the supply of drugs, between approximately September 2001 and March 24, 2010, defendant CHRISTOPHER VASSALLUZZO, acquired and paid for, and caused to be acquired and paid for, phendimetrazine and phentermine from at least four different wholesale pharmaceutical companies.

46. Defendant CHRISTOPHER VASSALLUZZO delegated to defendants RITA CLAYPOOLE and ROBERT CLAYPOOLE the ordering of controlled substance diet drugs. Nonetheless, the drugs were purchased under defendant VASSALLUZZO’s DEA registration number and were paid for by VASSALLUZZO from an account he maintained in the name of the Northeast Wellness Center at what is now Wachovia Bank.

47. Between approximately September 2001 and March 24, 2010, defendant CHRISTOPHER VASSALLUZZO, acquired and paid for, and caused to be acquired and paid for, in excess of approximately 1,502,100 tablets, pills and capsules (collectively hereafter referred to as “doses”) of a Schedule III controlled substance, that is, phendimetrazine, a prescription diet drug.

48. Between approximately September 2001 and March 24, 2010, defendant CHRISTOPHER VASSALLUZZO, acquired and paid for and caused to be acquired and paid for in excess of approximately 2,575,100 doses of a Schedule IV controlled substance, that is, phentermine, a prescription diet drug.

### **OVERT ACTS**

In furtherance of the conspiracy, and to accomplish its objects, the following overt acts, among others, were performed by the defendants in the Eastern District of Pennsylvania.

1. To enable its sales operation, defendant CHRISTOPHER VASSALLUZZO staffed the Northeast Wellness Center with a manager, managerial assistant and sales personnel.

2. Between approximately September 7, 2000, and March 24, 2010, defendant RITA CLAYPOOLE managed the operations of the Northeast Wellness Center, including hiring, training and managing personnel, ordering drugs from pharmaceutical companies and maintaining records of the purchase and sales of controlled substances, covering sales as necessary, filling mail-order sales, securing and delivering to defendant CHRISTOPHER VASSALLUZZO the cash receipts of sales of prescription controlled substance diet drugs.

3. Between approximately 2004 and December 31, 2010, defendant

ROBERT CLAYPOOLE worked at the Northeast Wellness Center, ordering drugs from pharmaceutical companies, repackaging the drugs that were delivered into small medical boxes each of which was claimed to constitute a two-week supply of prescription controlled substance diet drugs, and doing maintenance work on the properties occupied by the Center.

4. Between approximately February 2005 and March 24, 2010, defendant JANICE FARES worked at the Northeast Wellness Center selling prescription controlled substance diet drugs to customers, initially working one day a week, but starting October 2006, working three days a week. It was part of her job to take customers blood pressure, to weigh them, to ask customers how she could help them and to offer customers the array of prescription controlled substance diet drugs the Center carried. In addition, defendant FARES offered mail order services to customers that she believed could benefit from the service.

5. Between approximately October 2006 and March 24, 2010, defendant KATHLEEN GORDEN worked two days a week at the Northeast Wellness Center selling prescription controlled substance diet drugs to customers. It was part of her job to take customers blood pressure, to weigh them, to ask customers how she could help them and to offer customers the array of prescription controlled substance diet drugs the Center carried. In addition, defendant Gorden offered mail order services to customers that she believed could benefit from the service.

6. Between approximately September 2000 and May 2005, defendants CHRISTOPHER VASSALLUZZO, RITA CLAYPOOLE, ROBERT CLAYPOOLE AND JANICE FARES stored at 7443 Torresdale Avenue, controlled substance prescription diet drugs.

7. To effect sales, on or about January 29, 2001, CHRISTOPHER

VASSALLUZZO provided a copy of his DEA registration certificate to a wholesale pharmaceutical company, T.P.

8. To effect sales, on or about February 16 2001, CHRISTOPHER VASSALLUZZO provided a copy of his DEA registration certificate to a wholesale pharmaceutical company, T.P.

9. To effect sales, on or about May 12, 2005, CHRISTOPHER VASSALLUZZO provided a copy of his DEA registration certificate to a wholesale pharmaceutical company, T.P.

10. To effect sales, on or about May 5, 2008, CHRISTOPHER VASSALLUZZO provided a copy of his DEA registration certificate to a wholesale pharmaceutical company, T.P.

11. Between approximately September 11, 2000, and March 16, 2010, defendants sold to a customer, R.D., outside a professional practice, approximately 7,518 doses of Schedule III phendimetrazine and 60 doses of Schedule IV phentermine.

12. Between approximately September 18, 2000 and July 1, 2009, the defendants sold to a customer, T.B., outside a professional practice, approximately 1113 doses of Schedule III Phendimetrazine, and 182 doses of Schedule IV phentermine.

13. Between approximately November 20, 2000 and February 18, 2010, the defendants sold to a customer, C.F., outside a professional practice, approximately 2,348 doses of Schedule III phendimetrazine and 6,846 doses of Schedule IV phentermine.

14. On or about July 25, 2002, unindicted coconspirator L.R. distributed to T.F., outside a professional practice, a customer with cardiovascular medical problems, a three

week-supply of phentermine, that is 42 pills, after she had him sign a document that he was taking them of his own accord and at his own risk.

15. On or about November 8, 2002, notwithstanding that unindicted coconspirator L.R. had written on July 25, 2002, “no more pills,” someone at the office sold T.F., outside a professional practice, an additional three week supply of prescription controlled substance diet drugs.

16. Between approximately February 21, 2003 and March 3, 2010, defendants sold to a customer, J.C., outside a professional practice, approximately 798 doses of Schedule III phendimetrazine and 3,192 doses of Schedule IV phentermine.

17. Between approximately September 13, 2005 and June 19, 2009, the defendants sold to a customer, C.B., outside a professional practice, approximately 1,288 doses of Schedule IV phentermine.

18. Between approximately May 2005 and March 24, 2010, defendants CHRISTOPHER VASSALLUZZO, RITA CLAYPOOLE, KATHLEEN GORDEN, ROBERT CLAYPOOLE, AND JANICE FARES, stored at 3000 Holme Avenue, Philadelphia prescription controlled substance diet drugs.

19. On or about October 4, 2004, the defendants shipped to M.F. in New Jersey prescription controlled substance diet drugs.

20. On or about September 7, 2005, the defendants shipped to M.S. in Florida prescription controlled substance diet drugs.

21. On or about February 28, 2006, the defendants shipped to R.C. in Hawaii prescription controlled substance diet drugs.

22. On or about May 22, 2006, the defendant shipped to J.K. in Florida prescription controlled substance diet drugs.

23. Between approximately October 22, 2007 and March 22, 2010, the defendants sold to a customer, L.B., outside a professional practice, approximately 868 doses of Schedule IV phentermine.

24. In or about September 2008, defendant JANICE FARES wrote a letter for a customer, P.M., on letterhead of the Sunrise Wellness Center, 3000 Holme Avenue, Philadelphia, representing that P.M. was a patient taking phentermine, a Schedule IV controlled substance, “which is an amphetamine componet[sic],” which she signed and was authorized to sign for defendant CHRISTOPHER VASSALLUZZO.

25. On or about July 1, 2009, defendant RITA CLAYPOOLE wrote a letter for a customer, S.S., on letterhead of the Sunrise Wellness Center, 3000 Holme Avenue, Philadelphia, representing that “[S] is a patient of ours since being referred by his family physician to lose at least 20 lbs. He is currently taking Phentermine 37.5 twice a day @ breakfast and lunch . . . .” which was signed and authorized to be signed for defendant CHRISTOPHER VASSALLUZZO.

26. On or about November 11, 2009, defendant KATHLEEN GORDEN sold and caused to be sold to the following people, the following types and kinds of diet drugs, all in the absence of medical care or treatment.

<b>Customer</b>	<b>Schedule/Type</b>	<b>Number</b>	<b>Cash</b>
L.A.	IV Phentermine	56	\$125.00
R.D’A.	III Phendimetrazine	42	\$ 90.00



<b>Customer</b>	<b>Schedule/Type</b>	<b>Number</b>	<b>Cash</b>
A.C.	IV Phentermine	28	\$ 85.00
B.C.	IV Phentermine	56	\$125.00
R.C.	IV Phentermine	56	\$125.00
R.C.	IV Phentermine	56	\$125.00
B.D.	IV Phentermine	56	\$126.00
M.D.	IV Phentermine	56	\$125.00
D.McD.	IV Phentermine	56	\$130.00
D.G.	III Phendimetrazine IV Phentermine	21 72	\$125.00
G.G.	IV Phentermine	56	\$125.00
N.J.	III Phendimetrazine IV Phentermine	42 28	\$120.00
A.M.	IV Phentermine	56	\$110.00
P.M.	IV Phentermine	56	\$125.00
B.N.	IV Phentermine	56	\$125.00
J.O'B.	IV Phentermine	56	\$125.00
C.P.	IV Phentermine	56	\$125.00
J.P.	IV Phentermine	14	\$ 60.00
B.R.	IV Phentermine	56	\$125.00
A.S.	III Phendimetrazine	42	\$ 80.00
D.S.	III Phendimetrazine IV Phentermine	21 72	\$110.00
M.S.	IV Phentermine	56	\$125.00
T.S.	IV Phentermine	56	\$125.00

27. On or about December 1, 2009, defendant ROBERT CLAYPOOLE  
ordered approximately 13,000 doses of prescription controlled substance diet drugs and 500

small medical boxes from T.P.

28. On or about December 8, 2009, defendant ROBERT CLAYPOOLE ordered approximately 6,000 doses of prescription controlled substance diet drugs from T.P.

29. On or about December 15, 2009, defendant ROBERT CLAYPOOLE ordered approximately 3,000 doses of prescription controlled substance diet drugs from T.P.

30. On or about December 17, 2009, defendant ROBERT CLAYPOOLE ordered approximately 4,000 doses of prescription controlled substance diet drugs from T.P.

31. On or about December 21, 2009, defendant ROBERT CLAYPOOLE ordered approximately 3,000 doses of prescription controlled substance diet drugs from T.P.

32. On or about December 22, 2009, defendant ROBERT CLAYPOOLE ordered approximately 2,000 doses of prescription controlled substance diet drugs from T.P.

33. On or about December 29, 2009, defendant ROBERT CLAYPOOLE ordered approximately 3,000 doses of prescription controlled substance diet drugs and 1000 small medical boxes from T.P.

34. On or about January 4, 2010, defendant RITA CLAYPOOLE ordered approximately 2,000 doses of prescription controlled substance diet drugs from T.P.

35. On or about January 6, 2010, defendant CHRISTOPHER VASSALLUZZO ordered approximately 3,000 doses of prescription controlled substance diet drugs from T.P.

36. On or about January 11, 2010, defendant RITA CLAYPOOLE ordered approximately 4,000 doses of prescription controlled substance diet drugs and 1000 small medical boxes from T.P.

37. On or about January 13, 2010, defendant JANICE FARES ordered approximately 4000 doses of prescription controlled substance diet drugs from T.P.

38. On or about January 15, 2010, defendant RITA CLAYPOOLE ordered approximately 5,000 doses of prescription controlled substance diet drugs and 500 small medical boxes from T.P.

39. On or about February 2, 2010, defendant RITA CLAYPOOLE wrote a letter for a customer, M.D., on letterhead of the Sunrise Wellness Center, 3000 Holme Avenue, Philadelphia, representing that “[M] is a patient of ours at our diet center, and is currently taking Phentermine – 37.5 mg. dosage twice daily,” which was signed and authorized to be signed for defendant CHRISTOPHER VASSALLUZZO.

40. On or about March 23, 2010, defendant JANICE FARES sold and caused to be sold to the following people, the following types and kinds of diet drugs, all in the absence of medical care or treatment:

Customer	Schedule/Type	Amount
K.B.	III Phendimetrazine	84
S.C.	IV Phentermine	56
S.F.	IV Phentermine	56
R.G.	IV Phentermine	56
J.G.	IV Phentermine	56
E.H.	IV Phentermine	112
S.G.	IV Phentermine	56
J.H.	IV Phentermine	56
D.L.	IV Phentermine	56

<b>Customer</b>	<b>Schedule/Type</b>	<b>Amount</b>
N.M.	IV Phentermine	56
J.G.	IV Phentermine	56
J.O'L.	IV Phentermine	56
L.McP.	IV Phentermine	56
C.P.	IV Phentermine	56
C.Q.	IV Phentermine	56
L.R.	IV Phentermine	56
M.R.	IV Phentermine	56
T.R.	IV Phentermine	56
M.S.	IV Phentermine	56
J.T.	IV Phentermine	56
K.T.	IV Phentermine	56
L.V.	IV Phentermine	56

41. Defendant CHRISTOPHER VASSALLUZZO was present at his “medical office,” at the Northeast Wellness Center, on or about the following days, each day being a separate overt act, on or about the following approximate times, for the following approximate periods:

<b>OVERT ACT</b>	<b>DATE</b>	<b>DAY OF WEEK</b>	<b>TIME</b>	<b>PERIOD</b>
42	09.29.09	Tuesday	6:58 am to 7:03 am	5 minutes
43	10.07.09	Wednesday	12:33 pm to 1:24 pm	51 minutes
44	10.09.09	Friday	5:51 pm to 5:56 pm	5 minutes
45	10.30.09	Saturday	3:04 pm to 3:10 pm	6 minutes
46	11.28.09	Saturday	2:10 pm to 2:23 pm	13 minutes
47	12.10.09	Thursday	6:56 am to 8:18 am	1 hour 22 minutes
48	12.22.09	Tuesday	6:17 am to 6:42 am	25 minutes
49	01.11.10	Monday	9:17 am to 2:05 pm	4 hours 48 minutes
50	02.21.10	Sunday	7:39 pm to 7:47 pm	8 minutes

51. On or about October 3, 2005, defendant CHRISTOPHER

VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$1,406 in cash.

52. On or about October 3, 2005, defendant CHRISTOPHER

VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$2,350 in cash.

53. On or about October 4, 2005, defendant CHRISTOPHER

VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$990 in cash.

54. On or about October 4, 2005, defendant CHRISTOPHER

VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$1,660 in cash.

55. On or about October 5, 2005, defendant CHRISTOPHER VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$1,361 in cash and including a 3" x 5" index card showing payroll and other expenses deducted from the total cash for the morning of \$1,605.

56. On or about October 6, 2005, defendant CHRISTOPHER VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$1,105 in cash.

57. On or about October 6, 2005, defendant CHRISTOPHER VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$1,185 in cash.

58. On or about October 7, 2005, defendant CHRISTOPHER VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$1,610 in cash.

59. On or about October 7, 2005, defendant CHRISTOPHER VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$1,550 in cash.

60. On or about April 28, 2006, defendant CHRISTOPHER VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$1,980 in cash.

61. On or about August 16, 2006, defendant CHRISTOPHER VASSALLUZZO took home and caused to be taken to his home an envelope from the Northeast Wellness Center with approximately \$2,005 in cash.

62. On or about May 15, 2009, defendant VASSALLUZZO took to his home in Ocean City, New Jersey an envelope with approximately \$2,635 in cash.

63. On or about May 15, 2009, defendant VASSALLUZZO took to his home in Ocean City, New Jersey an envelope with approximately \$1,780 in cash.

64. On or about May 18, 2009, defendant VASSALLUZZO took to his home Ocean City, New Jersey an envelope with approximately \$1,343 in cash.

65. On or about May 19, 2009 defendant VASSALLUZZO took to his home in Ocean City, New Jersey an envelope with approximately \$1,630 in cash.

66. On or about March 23, 2010, a staff member placed in a trash can in a common room of the office, under the plastic trash liner, a plain white business envelope that held \$1,002 in cash, a \$125 postal money order and on which was written "Tuesday/AM /3/23/10/\$1127" and in which was also included a paper with the Daily Report Amount column for the morning of March 23, 2010.

67. On or about March 23, 2010, defendant JANICE FARES placed in a trash can in a common room of the office, under the plastic trash liner, a plain white business envelope that held \$1,755 in cash, and on which was written "Tuesday, PM/3-23-10/\$1755." With that envelope, defendant JANICE FARES had placed 13 patient charts showing sales transactions of March 23, 2010 and the Daily Report for the afternoon of March 23, 2010, listing 13 sales transactions. In addition, defendant JANICE FARES placed an inventory sheet dated

March 23, 2010, showing opening and closing inventory of the various kinds of prescription controlled substance diet drugs that she and her codefendants sold at the office.



In violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 19, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CHRISTOPHER VASSALLUZZO,  
RITA CLAYPOOLE,  
ROBERT CLAYPOOLE**

and D.B., an unindicted coconspirator known to the grand jury, knowingly and intentionally distributed, and willfully caused the distribution of, 56 pills that were a mixture and substance containing a detectable amount of phentermine, a Schedule IV controlled substance, outside the usual course of a professional practice.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(2), and Title 18, United States Code, Section 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about November 29, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CHRISTOPHER VASSALLUZZO,  
RITA CLAYPOOLE,  
ROBERT CLAYPOOLE**

and D.B., an unindicted coconspirator known to the grand jury, knowingly and intentionally distributed, and willfully caused the distribution of 112 pills that were a mixture and substance containing a detectable amount of phentermine, a Schedule IV controlled substance, outside the usual course of a professional practice.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(2), and Title 18, United States Code, Section 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 12, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CHRISTOPHER VASSALLUZZO,  
RITA CLAYPOOLE,  
ROBERT CLAYPOOLE**

and D.B., an unindicted coconspirator known to the grand jury, knowingly and intentionally distributed, and willfully caused the distribution of 112 pills that were a mixture and substance containing a detectable amount of phentermine, a Schedule IV controlled substance, outside the usual course of a professional practice.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(2), and Title 18, United States Code, Section 2.

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 29, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CHRISTOPHER VASSALLUZZO,  
RITA CLAYPOOLE,  
ROBERT CLAYPOOLE**

and D.B., an unindicted coconspirator known to the grand jury, knowingly and intentionally distributed, and willfully caused the distribution of 112 pills that were a mixture and substance containing a detectable amount of phentermine, a Schedule IV controlled substance, outside the usual course of a professional practice.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(2), and Title 18, United States Code, Section 2.

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about February 5, 2010, in Philadelphia, in the Eastern District of  
Pennsylvania, defendants

**CHRISTOPHER VASSALLUZZO,  
RITA CLAYPOOLE,  
ROBERT CLAYPOOLE and  
JANICE FARES**

knowingly and intentionally distributed, and willfully caused the distribution of 56 pills that were  
a mixture and substance containing a detectable amount of phentermine, a Schedule IV  
controlled substance, outside the usual course of a professional practice.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(2), and Title  
18, United States Code, Section 2.

**COUNTS SEVEN THROUGH SIXTY-SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. The allegations of paragraphs 1 through 22 and 24 through 48 of Count One are realleged and incorporated here.

2. From at least in or about 2005 through in or about March 2010, defendants CHRISTOPHER VASSALLUZZO, RITA CLAYPOOLE, KATHLEEN GORDEN and JANICE FARES devised and intended to devise a scheme to obtain money by means of false and fraudulent representations that CHRISTOPHER VASSALLUZZO was dispensing controlled substance prescription diet drugs in the course of a professional practice, when he was not.

3. On or about the dates listed below, each mailing constituting a separate count of this indictment, in the Eastern District of Pennsylvania and elsewhere, defendants

**CHRISTOPHER VASSALLUZZO,  
RITA CLAYPOOLE,  
KATHLEEN GORDEN,  
ROBERT CLAYPOOLE and  
JANICE FARES**

having devised and intending to devise this scheme to defraud, and for the purpose of executing and attempting to execute the scheme, and aiding and abetting the scheme, caused to be delivered by mail to 3000 Holme Avenue, Philadelphia according to the directions thereon, envelopes addressed to defendant VASSALLUZZO'S office, containing money orders and other negotiable monetary instruments payable to defendant VASSALLUZZO or his Northeast Wellness Center in payment of prescription controlled substance diet drugs, all as set forth below:

<b>Count</b>	<b>Customer</b>	<b>State</b>	<b>Approximate Date of Mailing</b>	<b>PAYMENT</b>
7.	R.C.	HI	02.28.06	\$185
8.	R.C.	HI	05.12.06	\$230
9.	R.C.	HI	07.06.06	\$290
10.	R.C.	HI	01.04.07	\$275
11.	R.C.	HI	03.20.07	\$140
12.	R.C.	HI	08.20.07	\$105
13.	R.C.	HI	12.13.07	\$60
14.	R.C.	HI	07.11.08	\$460
15.	R.C.	HI	01.30.09	\$600
16.	R.C.	HI	09.01.09	\$570
17.	M.F.	NJ	10.04.04	\$115
18.	M.F.	NJ	11.13.04	\$230
19.	M.F.	NJ	01.05.05	\$215
20.	M.F.	NJ	03.29.05	\$215
21.	M.F.	NJ	04.26.05	\$215
22.	M.F.	NJ	08.16.05	\$215
23.	M.F.	NJ	09.25.05	\$215
24.	M.F.	NJ	10.25.05	\$215
25.	M.F.	NJ	01.18.06	\$215
26.	J.K.	FLA	05.22.06	\$375
27.	J.K.	FLA	10.05.06	\$425
28.	J.K.	FLA	05.22.07	\$360
29.	J.K.	FLA	04.03.08	\$250
30.	J.K.	FLA	08.20.08	\$250
31.	J.K.	FLA	11.19.08	\$500



<b>Count</b>	<b>Customer</b>	<b>State</b>	<b>Approximate Date of Mailing</b>	<b>PAYMENT</b>
32.	R.S.	W.VA.	02.24.09	\$263
33.	R.S.	W.VA.	04.27.09	\$263
34.	R.S.	W.VA.	07.14.09	\$500
35.	R.S.	W.VA.	09.17.09	\$263
36.	E.S.	NJ	06.23.08	\$140
37.	E.S.	NJ	07.15.08	\$145
38.	E.S.	NJ	08.13.08	\$145
39.	E.S.	NJ	09.03.08	\$125
40.	E.S.	NJ	10.18.08	\$135
41.	E.S.	NJ	11.18.08	\$135
42.	E.S.	NJ	01.02.09	\$136
43.	E.S.	NJ	02.14.09	\$135
44.	E.S.	NJ	04.29.09	\$141.50
45.	E.S.	NJ	05.02.09	\$150.50
46.	E.S.	NJ	05.29.09	\$145
47.	E.S.	NJ	06.22.09	\$130
48.	E.S.	NJ	08.16.09	\$140
49.	E.S.	NJ	09.11.09	\$45
50.	E.S.	NJ	10.06.09	\$145
51.	M.S.	FLA	09.07.05	\$215
52.	M.S.	FLA	08.21.06	\$200
53.	M.S.	FLA	12.01.06	\$150
54.	M.S.	FLA	01.29.07	\$150
55.	M.S.	FLA	04.12.07	\$165
56.	M.S.	FLA	07.02.07	\$165

<b>Count</b>	<b>Customer</b>	<b>State</b>	<b>Approximate Date of Mailing</b>	<b>PAYMENT</b>
57.	M.S.	FLA	09.17.07	\$210
58.	M.S.	FLA	12.18.07	\$250
59.	M.S.	FLA	01.08.09	\$225
60.	M.S.	FLA	06.06.08	\$220
61.	M.S.	FLA	08.11.08	\$225
62.	M.S.	FLA	12.14.08	\$230
63.	M.S.	FLA	03.04.09	\$230
64.	M.S.	FLA	05/26.09	\$250
65.	M.S.	FLA	09.19.09	\$250
66.	J.T.	NJ	06.03.09	\$125
67.	J.T.	NJ	07.14.09	\$250

All in violation of Title 18, United States Code, Sections 1341 and 1349.

**COUNTS SIXTY-EIGHT THROUGH SEVENTY-FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the dates below, in the Eastern District of Pennsylvania and elsewhere, defendant

**CHRISTOPHER VASSALLUZZO**

knowingly and for the purpose of evading the reporting requirements of section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, caused and attempted to cause a domestic financial institution to fail to file a report required under section 5313(a) of Title 31, and any regulation prescribed under such section, and did so as part of a pattern of illegal activity involving more than \$100,000, that is, \$104,795, in a 12-month period, that is, defendant VASSALLUZZO split the cash receipts from the unlawful sales of prescription controlled substance diet pills at the Northeast Wellness Center and deposited and caused to be deposited to his account at the financial institutions, set forth below, United States currency on the dates and in the amounts under \$10,000 set forth below:

<b>Cnt</b>	<b>Bank</b>	<b>Branch</b>	<b>DATE</b>	<b>TIME</b>	<b>AMT</b>	<b>TOTAL</b>
68.	TD Bank	Newtown North	08.11.05	3:13 pm	\$9,879	
		Newtown Bypass	08.11.05	3:57 pm	\$9,660	\$19,530
69.	TD Bank	Newtown North	11.09.05	10:10 am	\$9,700	
		Newtown Bypass	11.09.05	10:27 am	\$5,400	\$15,200
70.	TD Bank	Newtown North	04.07.06	9:40 am	\$8,900	
		Newtown Bypass	04.07.06	11:42 pm	\$9,280	\$18,180

<b>Cnt</b>	<b>Bank</b>	<b>Branch</b>	<b>DATE</b>	<b>TIME</b>	<b>AMT</b>	<b>TOTAL</b>
71.	Wachovia	unknown	04.14.06	Unknown	\$5,000	
		unknown	04.17.06	Unknown	\$5,000	\$10,000
72.	Wachovia	Newtown	06.21.06	1:08 pm	\$6,024	
		Ocean City, NJ	06.22.06	3:06 pm	\$6,736	\$12,760
73.	Wachovia	Wash. Crossing	07.05.06	12:19 pm	\$7,050	
		Oxford Valley	07.06.06	1:18 pm	\$5,097	\$12,147
74.	TD Bank	Newtown Bypass	07.10.06	1:28 pm	\$8,975	
		Ocean City, NJ	07.10.06	1:45 pm	\$3,920	\$12,895
75.	TD Bank	Newtown North	07.31.06	2:41 pm	\$9,900	
		Newtown Bypass	08.01.06	10.36 am	\$7,863	\$17,763

All in violation of Title 31, United States Code, Sections 5324(a)(1), (d)(2), Title 31, Code of Federal Regulations, Sections 103.11, 103.22, 103.63, and Title 18, United States Code, Section 2.

**COUNTS SEVENTY-SIX THROUGH EIGHTY-SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the dates below, in the Eastern District of Pennsylvania and elsewhere, defendant

**CHRISTOPHER VASSALLUZZO**

knowingly and for the purpose of evading the reporting requirements of section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, did cause and attempt to cause a domestic financial institution to fail to file a report required under section 5313(a) of Title 31, and any regulation prescribed under any such section, structured transactions, that is, when defendant VASSALLUZZO split the cash receipts from the unlawful sales of prescription controlled substance diet pills at the Northeast Wellness Center and deposited and caused to be deposited to his account at the financial institutions, set forth below, United States currency on the dates and in the amounts under \$10,000 set forth below:

<b>Cnt</b>	<b>Bank</b>	<b>Branch</b>	<b>DATE</b>	<b>TIME</b>	<b>AMT</b>	<b>TOTAL</b>
76.	TD Bank	Newtown North	09.11.06	8:47 am	\$8,048	
		Newtown Bypass	09.11.06	9:29 am	\$8,752	\$16,800
77.	FNBN	Yardley	03.29.07	12:15 pm	\$8,635	
		Wash. Crossing	03.29.07	12:30 pm	\$5,980	\$14,615
78.	FNBN	Wash. Crossing	05.09.08	12:27 pm	\$1,500	
		Wash. Crossing	05.09.08	12:37 pm	\$9,570	\$11,070

<b>Cnt</b>	<b>Bank</b>	<b>Branch</b>	<b>DATE</b>	<b>TIME</b>	<b>AMT</b>	<b>TOTAL</b>
79.	FNBN	Wrightstown	06.06.08	12:07 pm	\$8,070	
		Wash. Crossing	06.06.08	1:27 pm	\$4,630	\$12,700
80.	FNBN	Wash. Crossing	07.10.08	10:56 am	\$4,630	
		Wash. Crossing	07.10.08	10:57 am	\$1,975	
		Wash. Crossing	07.10.08	11:00 am	\$3,434	
		Wash. Crossing	07.10.08	11:01 am	\$3,880	
		Wash. Crossing	07.10.08	11:06 am	\$3,015	\$15,345
81.	TD Bank	Ocean City, NJ	08.25.08	8:51 am	\$8,710	
		Ocean City, NJ	08.25.08	10:34 am	\$4,040	\$12,750
82.	Wachovia	Newtown	10.09.08	10:27 am	\$6,160	
		Wash. Crossing	10.09.08	10:56 am	\$6,840	\$13,000
83.	Wachovia	New Britain	10.27.08	9:40 am	\$8,280	
		Chalfont	10.27.08	10:00 am	\$3,115	\$11,395
84.	FNBN	Wash. Crossing	11.07.08	10:58 am	\$7,770	
		Solebury	11.07.08	11:16 am	\$5,200	\$12,970
85.	Wachovia	Richboro	04.20.09	9:57 am	\$2,785	
		Newtown	04.20.09	11:13 am	\$3159	
		Wash. Crossing	04.20.09	11:36 am	\$2,808	
		Richboro	04.20.09	12:01 pm	\$1,759	\$10,511

<b>Cnt</b>	<b>Bank</b>	<b>Branch</b>	<b>DATE</b>	<b>TIME</b>	<b>AMT</b>	<b>TOTAL</b>
86.	FNBN	Newtown	06.09.09	9:54 am	\$3,167	
		Wash. Crossing	06.09.09	11:03 am	\$6,995	
		Wash. Crossing	06.09.09	12:03 pm	\$3,000	\$13,162
87.	FNBN	Wash. Crossing	07.10.09	10:52 am	\$3,660	
		Wash. Crossing	07.10.09	11:04 am	\$9,650	\$13,310

All in violation of Title 31, United States Code, Sections 5324(a)(1), Title 31, Code of Federal Regulations, Sections 103.11, 103.22, 103.63, and Title 18, United States Code, Section 2.

**EIGHTY-EIGHT THROUGH ONE HUNDRED ONE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the dates below, in the Eastern District of Pennsylvania and elsewhere, defendant

**CHRISTOPHER VASSALLUZZO**

knowingly and for the purpose of evading the reporting requirements of section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, structured and assisted in structuring, and attempted to structure and assist in structuring the following transactions with one or more domestic financial institutions, that is, defendant VASSALLUZZO split the cash receipts from the unlawful sales of prescription controlled substance diet pills at the Northeast Wellness Center and deposited and caused to be deposited to his accounts at the different financial institutions, set forth below, United States currency on the dates and in the amounts under \$10,000 set forth below:

<b>CNT</b>	<b>Bank</b>	<b>Date</b>	<b>Amount</b>	<b>TOTAL</b>
88.	Wachovia	07.11.05	\$8,328	
	TD Bank	07.11.05	\$8,000	\$16,328
89.	Wachovia	03.13.06	\$8,400	
	TD Bank	03.13.06	\$8,600	\$17,000
90.	Wachovia	04.10.06	\$7,398	
	TD Bank	04.10.06	\$8,600	\$15,398



<b>CNT</b>	<b>Bank</b>	<b>Date</b>	<b>Amount</b>	<b>TOTAL</b>
91.	Wachovia	08.01.06	\$7,738	
	TD Bank	08.01.06	\$7,863	
	Bank of America	08.01.06	\$2,925	\$18,526
92.	Wachovia	09.11.06	\$1,260	
	TD Bank	09.11.06	\$8,048	
	TD Bank	09.11.06	\$8,752	\$18,060
93.	Wachovia	10.25.06	\$5,990	
	TD Bank	10.25.06	\$5,125	\$11,025
94.	Wachovia	06.15.07	\$6,109	
	TD Bank	06.15.07	\$8,505	\$14,614
95.	Wachovia	02.14.08	\$2,985	
	TD Bank	02.14.08	\$9,340	\$12,325
96.	Wachovia	03.12.08	\$9,115	
	TD Bank	03.12.08	\$5,255	\$14,370
97.	Wachovia	04.14.08	\$2,985	
	TD Bank	04.14.08	\$8,985	\$11,970
98.	Wachovia	08.14.08	\$9,000	
	TD Bank	08.14.08	\$2,906	\$11,906

<b>CNT</b>	<b>Bank</b>	<b>Date</b>	<b>Amount</b>	<b>TOTAL</b>
99.	Wachovia	02.02.09	\$3,555	
	TD Bank	02.02.09	\$6,619	\$10,174
100.	Wachovia	03.10.09	\$9,000	
	FNBN	03.10.09	\$2,882	
	FNBN	03.10.09	\$2,390	
	FNBN	03.10.09	\$1,720	\$15,992
101.	Wachovia	04.06.09	\$9,050	
	FNBN	04.06.09	\$1,985	
	FNBN	04.06.09	\$2,040	
	FNBN	04.06.09	\$2,175	\$15,250

All in violation of Title 31, United States Code, Sections 5324(a)(3), (d)(2), Title 31, Code of Federal Regulations, Sections 103.11, 103.22, 103.63, and Title 18, United States Code, Section 2.

**COUNT ONE HUNDRED TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about October 1, 2005 to on or about March 24, 2010, at Philadelphia, in the Eastern District of Pennsylvania, defendant

**CHRISTOPHER VASSALLUZZO**

knowingly rented, used and maintained a place commonly known as 3000 Holme Avenue, Philadelphia, and knowingly and intentionally used and made available for use this premises for the purpose of unlawfully storing and distributing controlled substances, including phendimetrazine, a Schedule III controlled substance and phentermine, a Schedule IV controlled substance.

In violation of Title 21, United States Code, § 856(a)(1), (2).

**NOTICE OF FORFEITURE ONE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 21, United States Code, Sections 846, 841(a)(1),(b)(1) and (2), 856 and 18 U.S.C. Section 2, set forth in this indictment, defendant

**CHRISTOPHER VASSALLUZZO**

shall forfeit to the United States of America:

A. Any property constituting, or derived from, proceeds obtained, directly or indirectly, as the result of such violations, including, but not limited to, the sum of \$5,198,421.51 U.S. currency and:

The following real property:

1. 2 Great Hills Road,  
New Hope, Pennsylvania.
2. 4337 Central Avenue  
Ocean City, New Jersey.

The following time share interest in real property:

3. Star Island Resort and Club IV  
Unit 2261W, Week No. 19  
5000 Avenue of the Stars  
Kissimmee, Florida 34747-5310

All funds credited to the following bank accounts in which CHRISTOPHER VASSALLUZZO has a right, title or interest:

4. First National Bank and Trust Company of Newtown
  - (a) Account No. ending 9599
  - (b) Account No ending 8400
5. Wachovia Bank
  - (a) Account No. ending 9334
  - (b) Account No. ending 2587
  - (c) Account No. ending 2590

The following personal property:

6. \$22,735 cash;
7. All unnegotiated third party checks, money orders and other monetary instruments payable to cash, Christopher Vassalluzzo, Northeast Wellness Center, or Sunrise Wellness Center;
8. All controlled substance diet drugs located at 3000 Holme Avenue, Philadelphia, Pennsylvania;
9. The collection of shark's teeth, including approximately 252 fossilized teeth and 90 necklaces made up of fossilized teeth.;
10. The collection of 997 vintage fountain pens and pencils, and 3 knives maintained with the collection;
11. The collection of jewelry, including 25 watches, 8 men's bracelets, 3 pairs of cufflinks and 7 pins;

and any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense(s), including, but not limited to:

12. Pennsylvania medical license issued to Christopher Vassalluzzo;
13. DEA registration issued to Christopher Vassalluzzo authorizing dispensing and writing prescriptions for controlled substances;
14. All records, documents and papers constituting or relating to customers of the Northeast Wellness Center, including documents that reflect the names and/or addresses of the people to whom Christopher Vassalluzzo, his agents and employees sold controlled substances and the amounts sold to them;

B. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the Court;

- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

## **NOTICE OF FORFEITURE TWO**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Section 1341, and 18 U.S.C. § 2, set forth in this indictment, defendant

### **CHRISTOPHER VASSALLUZZO**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, including, but not limited to, the sum of \$20, 169 U.S. currency and:

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture, including, but not limited to:

The following real property:

1. 2 Great Hills Road,  
New Hope, Pennsylvania.
2. 4337 Central Avenue  
Ocean City, New Jersey.

The following time share interest in real property:

3. Star Island Resort and Club IV  
Unit 2261W, Week No. 19  
5000 Avenue of the Stars  
Kissimmee, Florida 34747-5310

All funds credited to the following bank accounts in which  
CHRISTOPHER VASSALLUZZO has a right, title or interest:

4. First National Bank and Trust Company of Newtown
  - (a) Account No. ending 9599
  - (b) Account No ending 8400
5. Wachovia Bank
  - (a) Account No. ending 9334
  - (b) Account No. ending 2587
  - (c) Account No. ending 2590

The following personal property:

8. \$22,735 cash;
9. All unnegotiated third party checks, money orders and other monetary instruments payable to cash, CHRISTOPHER VASSALLUZZO, Northeast Wellness Center, or Sunrise Wellness Center;
10. All records, documents and papers constituting or relating to customers of the Northeast Wellness Center, including documents that reflect the names and/or addresses of the people to whom CHRISTOPHER VASSALLUZZO, his agents and employees sold controlled substances and the amounts sold to them;
11. All controlled substance diet drugs located at 3000 Holme Avenue,



Philadelphia, Pennsylvania;

12. The collection of shark's teeth, including approximately 252 fossilized teeth and 90 necklaces made up of fossilized teeth;
13. The collection of 997 vintage fountain pens and pencils, and knives maintained with the collection;
14. The collection of jewelry including 25 watches, 8 men's bracelets 3 pairs of cufflinks and 7 pins.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,  
United States Code, Section 981(a)(1)(C).

## **NOTICE OF FORFEITURE THREE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 31, United States Code, Sections 5324(a)(1), (3), and (d)(1), (2), set forth in this indictment, defendant

### **CHRISTOPHER VASSALLUZZO**

shall forfeit to the United States of America all property, real or personal, involved in the offenses and any property traceable thereto, including, but not limited to, the sum of \$479,041 U.S. currency and

The following real property:

1. 2 Great Hills Road,  
New Hope, Pennsylvania.
2. 4337 Central Avenue  
Ocean City, New Jersey.

The following time share interest in real property:

3. Star Island Resort and Club IV  
Unit 2261W, Week No. 19  
5000 Avenue of the Stars  
Kissimmee, Florida 34747-5310

All funds credited to the following bank accounts in which CHRISTOPHER VASSALLUZZO has a right, title or interest:

4. First National Bank and Trust Company of Newtown
  - (a) Account No. ending 9599
  - (b) Account No ending 8400
5. Wachovia Bank
  - (a) Account No. ending 9334
  - (b) Account No. ending 2587

(c) Account No. ending 2590

The following personal property as proceeds of the offenses or substitute assets:

6. \$22,735 cash;
7. All unnegotiated third party checks, money orders and other monetary instruments payable to cash, Christopher Vassalluzzo, Northeast Wellness Center, or Sunrise Wellness Center;
8. All records, documents and papers constituting or relating to customers of the Northeast Wellness Center, including documents that reflect the names and/or addresses of the people to whom Christopher Vassalluzzo, his agents and employees sold controlled substances and the amounts sold to them;
9. All controlled substance diet drugs located at 3000 Holme Avenue, Philadelphia, Pennsylvania;
10. The collection of shark's teeth, including approximately 252 fossilized teeth and 90 necklaces made up of fossilized teeth;
11. The collection of 997 vintage fountain pens and pencils, and knives maintained with the collection;
12. The collection of jewelry including 25 watches, 8 men's bracelets, 3 pairs of cufflinks and 7 pins.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;

- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 31, United States Code, Section 5317(c)(1)(B), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 31, United States Code, Section 5317(c)(1).

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**GRAND JURY FOREPERSON**

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**ZANE DAVID MEMEGER**  
**UNITED STATES ATTORNEY**